A

SECOND SUPPLY

To the Draft of a great Act or Cyſtem, concerning the Regulation of the

LAW.

OR,

A fall of above twenty nine in thirty Writts of Error: And of nine parts in ten of the charge, in thoſe after to be neceſſary: And a prevention of Delays, Inconveniencies, and Miſcheifes in future, which formerly have happened by ſuch Writs: In order to the ſaving yearly to the people many thouſands of pounds, part of the ſeverall Millions and odd of pounds by the *Anti-Levellers Antidote* mentioned to be ſaved.

WITH

A ſhort Juſtification of the Funerall of Tythes of Impropriators and Symoniſts, &c.

Rejoyned unto by an angry Pamphlet, intituled, *A Vindication of a ſhort Treatiſe of Tythes*, &c.

England Lawes Statute &c.

Publiſhed by thoſe who publiſhed the Funerall, &c.

Forasmuch as very many *writs* of *Error* have bin brought and proſecuted by divers unconſcionable and turbulent perſons, meerly for delay of *Execution*, upon divers Judgments and Recoveries, which for juſt and due Debts and demands they have knowne have been recovered and obtained againſt them, and have by Combination with Town-Clerks and Stewards, and other Officeers of Courts, procured the Records thereof; with very many Continuances, and other unneceſſary things to be returned with, and upon the Returne of ſuch *writs* of *Error*, after that the proſecutors of ſuch *writs* have cauſed delay of the *Executions* of ſuch Judgements or Recoveries, ſometimes by one, two, or three Renuings of ſuch *writs* of *Error*, contrived by Officers for their owne onely gaines, by meanes whereof divers and ſundry Plaintiffs and Demandants, and Recoverers of Judgments and Recoveries, have beene at more charge to repaire to ſuperiour Courts, to which ſuch Records have been

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ſent or removed, then the matter therein recovered hath been worth, though ſuch proſecutors before mentioned, of ſuch *Writs* of *Error*, ſometimes have been at double, other times trebble ſo much, rather then they would or have payd, that (which in conſcience they have knowne) they ought to have payd.

And whereas the Matter upon many of ſuch VVrits of Error after the returne thereof into ſuperiour Courts, hath there long depended before the ſame have been determined, and much trouble and charge hath been about the ſame in ſome of them, more then the thing recovered hath been of value, which chiefly hath been occaſioned by Contrivances of extorting and exacting Officers for their filthy lutre.

And whereas in ancient times VVritts of Error (as appeares by the forme thereof, in the Regiſter Book of VVritts) were made out upon the Complaint of the Parties grieved by any erronious Judgement, or Recovery, and were drawn by the Learned Maſter Clerks of the *Chancery*, till by them a forme was contrived for many of thoſe VVrits: And now of late Thoſe of them which have been ordinary VVritt or VVrits of courſe have been made of courſe by Curſitors, and all thoſe (which ſince thoſe ancient Times have been ſpeciall) have been drawn and contrived by learned Counſell and Clerks, and coppies thereof delivered to *Curſitors* to make, who have not only taken ſo much as in competency hath been ſufficient for the drawing thereof, but alſo as much more as the Proſecutors of the ſame have paid for drawing and contriving thereof, to thoſe w o could draw and have drawne thoſe ſpeciall VVritts, whereby the Proſecutors of ſuch VVrits have been put to double charge to pay unto the Undeſerving and Ignorant more then to the deſerving, Diligent, and Learned.

For Remedy wherof, it is wiſhed to be deſired that it may be provided.

That hereafter no ſtay of Execution ſhall be by reaſon of any VVritt of Error above ſix weeks next after my Judgement ſhall be given, or Recovery had, unleſſe the Proſecutor or Proſecutors of ſuch Writts, do ſet down and expreſſe plainely in writing the Tenor of the whole Record of ſuch Iudgement or Recovery, or ſo much thereof, wherein Hee, Shee, or they, do or ſhall ſhew the Error or Errors to be, in the manner and forme of a Suggeſtion, or a Bill or Complaint, without vaine Recitalls or Repetitions of vaine and frivilous continuances or other things, wherein no Error be, or ſhall be ſhewed or aſſigned.

And that no Writt of *Superſedeas*, upon any Writ of Error hereafter ſhall be made, untill ſuch Suggeſtion, Bill, or Complaint be, or ſhall be ſo drawn, and Error or Errors ſet down or expreſſed as farre, and as many, as the Proſecutor, or Proſecutors in ſuch Writ do, will or ſhall inſiſt upon; and the ſame be, or ſhall be ſigned under the hand of one or more of the Iudges or Iuſtices of the Court proper to reforme, or correct ſuch Errors or, falſe Iudgements, and to reverſe or affirme ſuch Iudgement or Recovery (expreſsing therein by ſuch Iudge or Iuſtice, that he conceiveth Error to be in ſome part thereof.

And that mediatly after any Defendant in ſuch Writ of Error, do or ſhall heare of ſuch Errors aſſigned, Hee, Shee, or They may plead to the ſame, and after iſſue ioyned thereupon, either upon ſuch Record or Tenor thereof, the Judges or Juſtices of ſuch Court, ſhall and may proceed to the affirming, or reverſall of ſuch Judgement, or Recovery only, upon thoſe Errors ſo aſſigned, or ſhewed, or to be aſsigned or ſhewed, and none other; and award and make out Writts of Execution or Reſtitution accordingly.

And that after ſuch *Suggeſtion*, Bill, or Complaint be or ſhall be ſo ſigned by ſuch Judge or Juſtice, any Counſell or Clerk who can and will at the cheapeſt Rate, may make ſuch Writt of Error.

At that imediately after the making thereof, the ſame with the ſaid Suggeſtion, Bill, or complaint, ſhall be delivered into the Court, proper to heare and determine

termine the ſame, together alſo with a true Copy thereof for the Defendant or Defendants, who do or ſhall appear to the ſame.

And that inſtantly after ſuch Defendant or Defendants do or ſhall appear, and Plead or Anſwer to the ſame Hee, Shee, or they ſhall leave for the Proſecutor or Proſecutors of ſuch VVritt, a true copy of ſuch plea or Anſwer in the ſame Court.

If thus, or in this Manner, and a Paper called an Abatement of Motions and Orders, &c. formerly publiſhed, it ſhould be Provided, then neither would, or could ſuch Infinits of Appeales be, as inevitably would happen; in caſe ſuch Appeales (as in the ſaid Court, Act, or Syſteme is expreſſed) ſhould fall out to be enacted.

And beſides many People by ſuch VVritts of Error, would be righted, in Cauſes, which amount not to above the value of 10.*l.* 20.*l.* or 30.*l.* alwayes falling out to be very many and more then all others; wherein they would by the *Syſtem*, if Writs of Errors ſhould be quite taken away, as is mentioned in that *Syſtem*; every one thereby (who ſhall bring ſuch Writts of Error) being firſt enjoyned to leave ten pound in the Regiſters Office of the Chancery, which many people neither are, or are like to be able to do; but muſt be conſtrained to undergo any wrong Carriage in their Cauſe, by reaſon of their Inability to ſeek Reliefe therein: Therefore ſuch Appeales are like to endanger a great Outcry among them.

A ſtort Juſtification of the funerall of Tythes, &c.

HAving within two or three dayes laſt paſt happened upon a *Pamphlet*, called *A Vindication* of a ſhort *Treatiſe* of Tythes, excepted againſt the *Funerall of Symony, Impropriations, and Tyths*, being ſcattered abroad lately ſince the laſt Trinity Terme, in the nature of a Rejoynder, to a Reply of ours, to an other Pamphlet called a *Treatiſe* of Tythes, touching angerly, and ſnatching at, by way of Anſwer, to a ſmall Tract of Tyths of Friends of us, only catching hold at ſome things in it to undervalue the ſame; and leaping over the moſt materiall things in it; Wee have thought it convenient to ſur-reioyne to that Reioynder, and by way of Sur-reioynder do ſay to the Matters of that Reioynder: Firſt as to that matter where he ſaith, that it is ſaid, that we in our Reply ſay, that there is not any of the learned Hyſtories, but queſtion the duty of payment of Tithes; as is true they have ſaid, to ſuch as of late have taken the ſame: which one of thoſe Hyſtories hath branded as ſacriligious and Church Robbers, and ſo it is, as he might have found in the Tract, pag. 31, 32 and to that which the party reioyning ſaith, that he who ſaith, the Labourer is worthy of his hire, and thou ſhalt not muzzle the Oxe that treadeth out the *Corne*; we ſay that ſuch Tyth takers as the Tract and our Reply ſpeak of, that is to ſay, the Impropriators be not any ſuch, as ſo labour, but as they be at large expreſſed in the Tract pag. 30, 31, 32, and rather tread the Corne into the Myre, then do any good, and therefore ſuch unprofitable Cattell ought to be *muzzled*. And therefore the Reioynant had better for himſelfe have forborne that Aſſertion; for which (when his Clients the Impropriators ſhall come to underſtand it) they will not commend him for the ſame, being it maketh cleerly againſt them? And the party reioning ſaith, that the Writers ſay, that it is the Riſe, the part and Manner of payment that troubles them all; which true is, and very well they may, by reaſon of the great and exceſſive parts of the poor Husband-mans corne; which the moddern Tyth takers, eſpecially the Impropriators for doing no good, have ſwept away, as is it at large expreſſed in the Tract, *p.* 36. And the Reioynder further ſaith. That it is not a Tyth, or portion thereof to be due unto the Miniſter, that troubles thoſe, that have written of that ſubiect, by which word *Portion* may be obſerved, that the [illegible] of payment of Tyths dif-

ferent from ours in these modern Times; therefore by his owne confession, how in reason can hee desire that the payment thereof should continue as it hath done? But the partie Reioyning is so subtill as to ioyne the Ministers with the Impropriators. And because we acknowledge they acknowledge they have been due to the Ministers rather then the Impropriators, and that a competent Allowance ought in conscience and Reason to be allowed to the learned and Godly Ministers. He bringeth the same for the vindicating the payment of Tyth to Impropriators: which whether any of the learned or Godly Ministry have cause to give him thanks for, any reasonable man may judge: And besides it may be observed all along in the Treatise, and Vindication, how iniuriously they would make the Ministers (as it were) a stalking-horse for their further help to uphold their beloved *Avarice* of Tythes without desert. And where in the Reioynder he saith, that the reply doth condemne the Appropriators for the deteyning the Tenth and Tythes, as they are paid in this Nation; which well it may, as it saith, it doth the Impropriators, for their Predecessors the Appropriators were in respect of Tythes to afford sufficient maintenance for the *Vicar* and *Poore* as is said in the Tract 36. and Reply, and as is enacted 15.*R*.2.2.6.4 *H*.4.12.

And King *H*. the 8. had them no otherwise then the *Abbots* and *Monaches*, &c. the Appropriators had the same, as any may see in the Statutes of King *H*. 8. concerning the same. And we deny them to have come to the Impropriators any otherwayes by any setled Law of this Nation (it being confessed in the Reioynder that neither the *Decretal* Epistle of *Innocent* the third, in the yeare 1200. nor the Counsell of *Lateran*, in the yeare 1215. could impose Tithes upon the same.) And yet both the Treatise and the Vindication insist much upon the Great Charter, to be for the Right of the Church, being made not long after that Counsell, and no intervening Law, or Statute of this Nation, was made for Tithe, whereby it appeareth that the Vindication it selfe sheweth Tithes to be unsetled then: Therefore the great Charter maketh nothing at all for the Impropriators, but against them. And if they should go about to shew that any Appropriations were in those times, they are like to misse of finding of any. And let the Reioynant, or any of his Adherents come on againe, and they shall be sure to heare more from some of Us, to the further manifestation of the nullity of the Impropriators Right to Tithes, as it hath been lately found out, they have imployed the same.

And we also deny that the People of this Nation, have held the payment of Tithes reasonable; Or that they have submitted to the payment of the same, any otherwayes then by threats, and being kept under, and in feare, by the power of the Proud of the Clergy unlawfully usurped, which was the principall Cause of frighting many of the People from contending with the Impropriators, who for the greatest part complyed with those, and climbed by their Ladder, both these and those for the most part having misimployed Tyths alike, as is mentioned in the Tract, *pag*. 31 *Reply p*. 1. but as for submittance in payment of the same to the Godly painfull and consciencious Minister, we neither, can, will or do deny. And it is well in the Reioynder to confesse that the most learned Writer mentioned in the Tract, doth shew a variety in payment of *Tyth*. And as to the practise of it mentioned to be in the Treatise *p*. 14. that was before the abandoning of Charity by the *Tith-takers* and before such nonusing misusing or dissusing as in severall places in the *Tract*, and in the Reply, and in severall places in this Sur-reioynder be mentioned. And as to the Question in the Reioynder whose Officers or Stewards *Receivers* of *Tyths* were for their imployment to good uses, whose misuser, Non-user, or Dis-user thereof is a forfeiture thereof, whether Gods Stewards, to whom then saith the Party reioyning, they are only accomptable [illegible]

imploy them to good uſes as before is ſaid, otherwiſe, do they not think God will put it into the Hearts of the Parliament to take the ſame from them, and leave the ſame to the Owners of the Lands, that they may be the better enabled to maintaine an able Miniſtry and the Poor for which uſes they ought to go, as the Stewards and Officers of which Owners they are, as the *Abbots* were for convenient maintenance of the Vicars, and reliefe of the poor, as appeareth by the Statutes of *R.*2. and *H.* the 4. and ſo *K. H.* the 8. took them into his hands: and to, and for the ſame intent and purpoſe gave, conveyed, and diſpoſed the Appropriations, at ſuch ſmall Rates as is mentioned in the Tract, being very little or nothing in reſpect of the rates as other Lands were ſold for in thoſe times at the firſt, to ſuch as were charitable and well imployed thoſe Impropriatons. And beſides the Party reioyning (ſhewing ſuch cunningneſſe in his writing) we think is not ſo ignorant (although as he truely affirmeth, as Gods Stewards (of that which we poſſeſſe in the World) we are, only accountable to him) but that yet the *Reioynant* may know, as it is commonly ſeen; when any Mildemeanour or other uniuſt Action is Committed, the Parties committing the ſame, are queſtionable by the *Supreame Authority* and Law: And of what dangerous conſequence his Miſapplying of thoſe Words are, is manifeſt; for thereby (if obſerved) all Government would be deſtroyed, and any unjuſt action committed, if the party doing the ſame might not be queſtioned for it.

And where the Rejoynder ſaith, that the Parſon is ſeized of the Tithes, &c. in Right of his Church, as a man is ſaid to be ſeized of his Lands in the right of his Wife, and yet it ſaith alſo that the man is not his Wives officer or Steward; but true and lawfull Owner and Poſſeſſor to his own uſe, but the *Reioynant* may know if he enquire, that if the Husband commit any offence, whereby he ſhall be divorſed from his Wife, or he repudiat her without cauſe, he will be compelled to reſtore to her her Lands, and why not then the Impropriator for ſuch miſuſer, Non-uſer, or Diſ-uſer as is affirmed in the *Repl. p.*2. (which may as well follow) to Owners of the Lands, and not to ſuch Patrons as ſhall uſe *Symony:* for no doubt there is, but Patrons were Lords of Mannors at firſt, who had the diſpoſall of all the Lands in the Pariſh, aſwell as of the *Advouſon*, and now they have parted with their Lands for valuable conſideration, can there be any reaſon or equity that the Lords or Patrons ſhould preſent a *Symoniſt* to ſtarve the Poore and ſhare and devide the ſpoile with him, as is too frequent, as is at large mentioned in the Tract *p.*27. *Repl. p.*2. And in the Reioynder it is confeſſed that the Law hath ordeyned to rectifie Lands, Tythes, &c. given to good uſes upon their miſimployment: and why may it not now be put in practiſe being ſuch miſimployment is newly found out? the Reioynant alleadging alſo that *Keeperſhips* of *Wild-beaſts*, *Stewards* or *Biennial Ceſſation*, &c. Suit not with it: if it be in that point only of difference by being ſeiſed in their own right, or in the Right of the Church, or other Right, but be not ſuch ſeiled as well as Parſons? Yea as ſtrong altogether, but that is nothing to the matter in Hand. And as to the Poors Lands mentioned in the *Reioynders* to remain to this day. We know of none, although we know many Pariſhes the Tythes whereof be impropriate, and have heard of very few Lands belonging to any Poore in any Pariſh; and if any had been ſetled upon any Pariſh in ſuch manner as is mentioned in the *Reioynder*, it is like they had remained to this day, for who ſhould take or alyen them away? And they who look for any Vicars endowment or proviſion made for the Poore, ſhall finde no ſuch thing in the Statutes which the *Reioynant* quoteth; and yet he ſaith, that we acknowledge that *Endowment* and *Allowance* in thoſe Statutes was as the value of things then were equall or neer to the worth; although we have expreſſed in our *Reply* no ſuch Statutes at all, but as we in our Sur-reioynder have ſayd, and now ſay further, by theſe Statutes it appeareth that *Appropriators* were to provide convenient maintenance for a Vicar and the Poor, which we do averr doth imply that they were, [illegible] (as it were) Officers or Stewards,

and may forfeit, as before we ſayd in our *Reply*, *p.* 1.

But the *Reioynant* demandeth the queſtion, To whom they ſhould be forfeit? and anſwereth we ſay to the Freeholders of the Lands: but he demandeth the Freeholders Title to them, ſaying, He never bought nor payd for them: To which we ſay, the Freeholders bought the Lands with all appurtenances and profits, and as is ſayd in the *Tract. p.* 33. 34. why ſhould not the Freeholders, as well as to be ſubiect to all incumbrances of loſſe, or impaire of his Lands, as alſo of hinderers, diſturbers, and enemies, the moſt ſubtill of which be the Tyth-takers, as is expreſſed in the *Tract. p.* 33. 34.

And then the *Reioynant* ſaith, That we ſee it every day, the title of Appropriators to be by the Judges adiudged good: How untrue that is, that ſuch thing hath been, or can be done ſo often, every reaſonable man may imagine; but it ſeemeth he is ſome great Owner and Poſſeſſor of *Impropriations*, and is like to ſay any thing, be it never ſo untrue, to uphold his *Diana*, if he could go ſmoothly away with it, and cloud the peoples Judgements.

But if ſuch Titles have been often adiudged good, he might have ſeene if he would, *Reph.* 2. where it is ſayd, That ſuch *Miſ-uſer*, *Non-uſer*, or *Diſ-uſer*, have not been ſtood upon, but it appeareth he is apt to catch and ſnatch at ſome things for his advantage, and leap over other things, as did the Writer of the *Treatiſe*; which if he had not done, or not mentioned ſome of the words in the *Tract* in an angry manner, his *Treatiſe* might have gone ſilent for ought we ſhould have ſayd to it, but left them both to be conſidered of by better Judgements.

Then the *Reioynant* taxeth us with not having honourable thoughts of *Supreme Authority*: Although we never have had, did, nor doe intend to have ony other then honourable opinion of Supreme Authority, nor have any wayes declared otherwiſe.

And becauſe it is ſayd in the *Tract*, *pag.* 28. *Reph.* 4. That Tythe came to *Impropriators* at as low rates as Theif ſtolne goods, *&c.* to which the *Treatiſe* hath not anſwered, and therefore the *Reioynant* by a wandering Anſwer, impertinent to the matter in hand, ſaith, That we cannot make the *Appropriators* Receivers, but with all the Parliaments theives: Doth this *Reioynant* deſerve any commendations of the poſterity of former Parliaments, to put the Theife upon them, and how may the future think of him? For we onely ſayd that we conceived that if former Parliaments had imagined how Tythes would have been vitiouſly uſed, they would not have made ſuch Acts concerning the ſame as they have done, *Rep. p.* 3. 4. 5. *Tr.* 31. And we ſay in the *Tract*, *p.* 28. that at firſt the Tyth-takers might be charitable, *&c.* and then the cuſtome of tything be good, but otherwiſe we ſay not good, and therefore to be aboliſhed, their foundation being ſandy, as in *Tract. p.* 33. and the ſame being at firſt ſtolne by the Monks, *&c.* as is ſayd in the *Tract.* 27. And why therefore may not then ſuch things be pleaded in Bar, or given in Evidence, as in *Tract. p.* 26. and *Reph p.* 2.

After the *Reioynant* blameth us for anſwering the *Treatiſe*, where our Friends were charged with being as bad as *Julian* the *Apoſtate*, who diſpoyled the Church of their Livings, *&c.* we onely ſaying, *Rep.* 4. 6. that we thought the Tyth-takers, who were to maintaine the Vicar and Poor, as we have ſayd before, and as the Statutes herein recited, and have not done the ſame, were more fit to have thoſe uncharitable Titles put upon them then thoſe our Freinds.

And to his Queſtion concerning the *Lay-fees* and *Freehold* of *Tyth*, we ſay, that what Hold ſoever any have, or can have to them, they are bound to the competent maintenance of the Miniſter and Poor, as we have ſayd before.

And as concerning the ſuffering of *Recoveries*, and levying of *Fines*, which he ſaith are daily done; but how he ſhould know the ſame ſo often done, and how it is poſ-

But if ſuch things have ſometimes been done, we beleeve he can ſhew very few (if any) of tythes ſeperate from *Rectories* ſince the *Impropriations* thereof: concerning which it occaſion be we can and ſhall ſay more hereafter.

And after he ſaith, *That when neither Judge nor Jury will comply with us, then*, &c. at which we well may and do admire he ſhould ſay ſo, having as appeareth by his writing, taken notice of the *Tract*, *Treatiſe*, and *Reply*, ſince which no tryalls have been, wherein any ſuch thing ſhould come in queſtion; and how true is that like to be which he alleadgeth, let every man Judge.

And for the interruption of *Supreme Authority*, as he mentioneth, we know of nothing done concerning this matter; therefore the *Reioynant* might have been ſilent, and not troubled himſelfe with ſuch things as he can know nothing of, unleſſe he doth it to make ſtirr to no purpoſe; for we onely put our opinions out to publique view of thoſe whom it moſt concerneth, few of us having any Lands, out of which tythe of corn hath been payd: And we adviſe the *Replyant* and his Adherents to take heed that he and they be not thoſe, who go neareſt to unſettlement and confuſion of the Nation, in going away with Tythes for doing nothing, onely ſaying, they payd for them, but what was ſo payd, or at leaſt at the firſt, they be loath to reveale. That both the *Treatiſe* and the *Reioynder* have ſlily leapt over.

As for the *Miniſtry*, are not they beholding to him to put *Superſtition* upon them? for it ſeemeth if the *Impropriators* can go on, the *Reioynant* careth not for them, therefore what reaſon have they to give him thanks?

And *Reioynder*, *p.* 10. he cometh on againe with ſome Matter urged before and anſwered, which he ſaith to be to proper uſes, and yet he confeſſeth there, as we ſay too, as the *Abbots*, *&c* held them, ſo they came to King *Henry* the eighth, and how that was may be ſeen in the Statutes aforeſayd, as we have ſayd before, which he ſaith he thinketh we have not read, but we doubt he hath not read them, or elſe over-read the ſame.

And then he falleth on cloſe with his *Non claimes* upon his *Fines*, and vaunteth as though he had us under his feet, and thunders againſt the Jurors to terrifie them; but if any *Impropriators* have any ſuch Fines, they cannot be all ſure of *Non-claimes*, but *Claimes* may be from five year to five year, for many years paſt, and ſome may be later, as the *Non-uſer*, *Miſ-uſer*, or *Diſ uſer* have happened and been taken notice of, for what need or occaſion can there be of any ſuch thing before.

And we adviſe him now he is or may be ſatisfied in conſcience of the iuſt Right of Tythes that he be not troubleſome nor ſelf-conceited in opinion, that he can ſatisfie the Juſt and Learned Judges in their iudgements more then others, for they will adiudge according to that which they ſee Right and Equity in their Judgements: and let him not endeavour to fright the honeſt Jurors, for they will not be affrighted by him, but go according to the iuſt right of their Evidence, ſay he what he will or can.

It ſeemeth he is ſomewhat doubtfull of his this years Tythes, that his *Reioynder* cometh ſo warily out to intrench it ſelfe in the Countrey, and to ſome it ſelfe here, that it may not be rayſed, or blown upon the Sand untill Harveſt be paſt, but he may happen to faile in part.

And then he condemneth us for want of charity (of which he and his adherents are moſt guilty, for the reaſons, and as we have ſayd before) and his reaſons thereof are, becauſe he ſaith, We propoſe nothing equivalent for the Appropriator: No not to all, for we need not, there will be ſufficient to remaine to many of them, and overmuch to others that have other great Poſſeſſions beſides Tythes, out of which thoſe that have no other maintenance may onely have ſome recompence, as we hav ſayd in our *Reply*, *p.* 3. at large, but it ſeemeth that he hath leapt over that, catching here and there at a peice to work upon for his owne uſe, as he hath in his *Reioynder*, *p.* 11. where he talketh concerning Heatheniſme at a peice in the *Tract*, and miſrepeated that, in ſaying the whole value, in ſtead of neer the value, *&c.* for doth it not appeare

peare in the *Tract*, *p.* 36. That a competent maintenance onely ſhould be for the Miniſtry, and then ſufficient would remaine to the Freeholder and Husbandman out of his Tythes to maintaine the Poor for his reſpective part, and that is for good uſes, and not for Locuſts and Caterpillers, as is ſayd in the *Tract*, *p.* 30. And beſides he might have ſeen in the *Tract*, *p.* 33. 34. what benefit will accrue to the Freeholder when the *Vermin* be rid from his Freehold: but that it ſeemeth the *Reioynant* would not repeat becauſe as few as may be ſhould take notice, who the moſt ſubtle of thoſe Vermin be, to which we referr the Reader.

And the *Reioynant* finds fault for our wondring at ſome part of the *Treatiſe*, but now we may wonder at the matter in the *Reioynder*, where it is ſaid, that he would have the Miniſter have his Tith till his Allowance begin: we ſay nothing againſt it till that be done; but we conceive the *Reioynment* little regardeth the Miniſtry, but to uphold the *Diana* of him and his Aſſociats.

And as for the Miniſtry if they had found any thing amiſſe againſt them, they could and would have anſwered for themſelves, and we believe they never ſet the *Reioynant* at work, and he need not have medled with them, for rare it hath been for an *Impropriator*, to regard the Miniſtery. And as for the ſilenceing of us, or any Penman of us, it is more then the *Reioynant* can do, if he go on any further in any thing which is not true and juſt.

And in the Cloſe he ſaith, he would have Truth vindicated, the Right of the Church, and propriety juſtified: but how farr he and his Aſſociat or Adherent *Impropriators*, fall ſhort of thoſe things, moſt men that have dealing with them know, for as we have ſaid before, do not they now withhould the maintenance of the Miniſtry and the Church? And who can gainſay but that is the true right and propriety of the Church, and have not many of the Impropriators put the poore *Vicar* to dwell next their great Barnes, and keep themſelves farre remote in obſcurity, whereby the poore *Vicar* having ſmall allowance, and having had charitable minds, have been ſuddenly devoured hy the Poore, Beggers and Gueſts.

And if the *Reioynant* had followed the courſe of Law in pleading, the Matters had been brought to a ſhort iſſue: but that it ſeemeth he hath declyned (as we conceive) thinking that we would have Demurred for *Multiplicity* or *Impertinency* of Matter, and ſo not to have ſent after him into the Country that his *Reioynder* may ſtick faſt there, but we hope, we ſhall finde a convenient time and way to go or ſend after him in any thing, when he ſhall in like manner ſlide away before. And we deſire him and his Adherents, to take heed of the verior of *Franciſco Spira*, and his fearfull end, for not reſtoring of the evill gotten Goods catched into his clutches, who repented very farre, in acknowledging the ſame, as well as other Sinnes; as is ſhewed in the Margent of the *Tract*, *pag.* 36. at large, and by ſuch Divines there mentioned, may any further be informed of things, of and concerning all which premiſſes we put, and referr our ſelves upon, and to the ſame Perſons, Tryall, Judgement, and Conſideration, as we have don out *Reply*; hoping that God wil direct thoſe moſt concerned in the premiſſes, to ſeek and deſire their juſt right in the ſame, and no other after ſo ſerious conſideration, and mature deliberation had thereof: In which we doubt not but God will give them his aſſiſtance and bleſſing.

And whereas the *Reioynant*, hath iniuriouſly charged us and our Friends, with the confounding of Tythes; Upon the whole matter it appeareth that the *Impropriators* of late have confounded Tythes, in deteyning the greateſt part of the ſame, from the Miniſtry and the poore, for which uſe they were firſt inſtituted, as is mentioned before by us, which we and our friends have a deſire ſhould be brought into Order: which we hope the God of all Order, will according to his good Will and pleaſure accompliſh in due time.

The End.